

## IN THE UNITED STATES COURT OF FEDERAL CLAIMS

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AECOM ENERGY & CONSTRUCTION, INC.,

Plaintiff,

v.

THE UNITED STATES OF AMERICA,

Defendant.

Case No. 20-2016C

Judge Tapp

**DEFENDANT'S UNOPPOSED MOTION FOR AN ENLARGEMENT  
OF TIME IN WHICH TO FILE ITS RESPONSE TO PLAINTIFF'S COMPLAINT**

Pursuant to Rules 6(b)(1) and 6.1 of the Rules of the United States Court of Federal Claims (RCFC), defendant, the United States, respectfully requests a 60-day enlargement of time within which to file its response to the complaint in this matter. Our response is currently due on March 1, 2021. The requested enlargement would move the deadline for the filing of our response to April 30, 2021. We have not previously sought an enlargement of time for this purpose. Defendant's counsel has contacted plaintiff's counsel regarding the proposed enlargement and has been informed that plaintiff does not object to this request for an enlargement of time.

In the time that has passed since the filing of the complaint on December 29, 2020, counsel for defendant has consulted with counsel for the Department of Energy (DOE) regarding the factual underpinning of the case and the many detailed factual allegations contained in the 714-paragraph complaint. Based upon those consultations, defendant's counsel has determined that preparation of full and accurate responses to the allegations in the complaint will require more investigation than can be concluded by the current deadline for the response.

Furthermore, because its own internal investigation of the complaint is not yet complete, DOE has not yet created a litigation report for this matter, as required by 28 U.S.C. § 520. After the litigation report is completed, defendant's counsel of record will need additional time to

collaborate with DOE counsel and other DOE personnel to produce the response to the complaint, which then must pass through internal supervisory review at the Department of Justice. DOE counsel have advised that they expect to be able to provide the litigation report sufficiently in advance of April 30, 2021, to allow filing of the Government's response to the complaint by that date.

For these reasons, we respectfully request that the Court grant this motion for enlargement and set a deadline of April 30, 2021, for the filing of the Government's response to plaintiff's complaint.

Respectfully submitted,

MICHAEL D. GRANSTON  
Deputy Assistant Attorney General

ROBERT E. KIRSCHMAN, JR.  
Director

*Of Counsel:*

MARC E. KASISCHKE  
Office of the Assistant General  
Counsel for Litigation  
U.S. Department of Energy

BRANDON MIDDLETON  
Chief Counsel  
BRADY L. JONES, III  
Assistant Chief Counsel for  
Acquisition and Litigation  
SKY W. SMITH  
Trial/Procurement Counsel  
Office of Chief Counsel  
Environmental Management  
Consolidated Business Center  
U.S. Department of Energy

/s/ Patricia M. McCarthy  
PATRICIA M. MCCARTHY  
Assistant Director

/s/ Barbara E. Thomas  
BARBARA E. THOMAS  
Senior Trial Counsel  
Commercial Litigation Branch  
Civil Division  
U.S. Department of Justice  
P.O. Box 480  
Ben Franklin Station  
Washington, DC 20044  
Tel: (202) 616-0461  
barbara.e.thomas@usdoj.gov

February 17, 2021

*Attorneys for Defendant*